



Signed and Filed: June 22, 2020

A handwritten signature in black ink, reading "Dennis Montali", is positioned above the judge's name.

DENNIS MONTALI
U.S. Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA

In re:) Bankruptcy Case
PG&E CORPORATION,) No. 19-30088-DM
- and -) Chapter 11
PACIFIC GAS AND ELECTRIC COMPANY,) Jointly Administered
Debtors.)
☐ Affects PG&E Corporation)
☐ Affects Pacific Gas and Electric Company)
☒ Affects both Debtors)
** All papers shall be filed in the Lead Case, No. 19-30088 (DM).*

TENTATIVE RULING REGARDING CLAIMS OBJECTION PROCEDURES

Debtors filed a Motion for Order Approving (A) Procedures for Filing Omnibus Objections to Claims and (B) the Form and Manner of the Notice of Omnibus Objections (dkt. #7758) (the "Motion") and set it to be heard on June 24, 2020. Several parties filed objections and joinders, and Debtors filed a reply. The following is the court's tentative ruling on the Motion.

1 The court has reviewed the Motion and concludes that it is appropriate to allow Debtors
2 to submit 250 claims in lieu of 100 claims as required by Fed. R. Bankr. P. 3007(e)(6). Further,
3 it is unnecessary for Debtors to attach individual proofs of claim to omnibus objections to
4 claims, as otherwise required by B.L.R. 3007-1(a). The court has also reviewed Debtors' reply
5 (dkt. #8059) and concludes that all concessions made in favor of objecting parties appear to be
6 appropriate, with the exception of the modification proposed for the proposed Notice (dkt.
7 #7758-2) and paragraph 2.I.i.d of the current version of the proposed order, *i.e.*, the evidentiary
8 requirements set forth for claimants. Unless Debtors present compelling reasons to do
9 otherwise, the court intends to strike that provision from the order entirely. Claimants are not
10 required to prove up their claims at the outset. *See Heath v. Am. Express Travel Related Servs.*
11 *Co., Inc. et al, (In re Heath)*, 331 B.R. 424, 435 (9th Cir. BAP 2005).

12 Finally, the court has reviewed Debtors' proposed Notice and will require some
13 changes. Debtors are instructed to employ the language of 'scream or die' procedures of B.L.R.
14 9014-1 and state in the notice that a hearing will not take place if the claimant fails to respond.
15 If a claimant fails to respond per the notice of hearing, Debtors may submit an order after
16 requesting entry of default. If a claimant does respond, a status conference will be held in
17 accordance with B.L.R. 3007-1(b), at which legal, but not factual, issues may be decided by the
18 court. Factual issues may be set for further hearing.

19 ***** END OF TENTATIVE RULING *****

COURT SERVICE LIST

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